

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2010-55
Petition of Peter Serreze
15 Cottage Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, July 15, 2010 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of PETER SERREZE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 20.4 foot by 23.5 foot second story addition and construction of a 6.1 foot by 23.8 foot porch with less than required left side yard and right side yard setbacks, on an 8,070 square foot lot in a district in which the minimum lot size is 10,000 square feet, at 15 COTTAGE STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 28, 2010, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Peter Serreze (the "Petitioner") and Joanna Reck, Architect . Ms. Reck said that the plan is to build a second story addition over an existing structure and to add a covered porch on the back. She said that they will maintain the existing right and left side yard setbacks.

Ms. Reck said that the plans were approved by the Historic District Commission (HDC). The Board asked about HDC concerns. Ms. Reck said that one issue was the prominence of the house on the corner. She said that HDC wanted the scale of the addition to be kept lower than the main part of the house. She said that HDC also discussed the dormers. The Board confirmed that the plans submitted to the Zoning Board reflect the discussions with HDC.

The Board said that it is a very challenging site. The Board said that the solution is creative and fits comfortably.

The Board asked if there will be a new foundation. Ms. Reck said that they won't know that until they begin working. She said that it is an old foundation.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 15 Cottage Street, on an 8,070 square foot lot in a district in which the minimum lot size is 10,000 square feet, with a minimum left side yard setback of 15.4 feet and a minimum right side yard setback of 11.6 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 20.4 foot by 23.5 foot second story addition and construction of a 6.1 foot by 23.8 foot porch with less than required left side yard and right side yard setbacks, on an 8,070 square foot lot in a district in which the minimum lot size is 10,000 square feet, at 15 COTTAGE STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 8/18/09, stamped by Robert F. Drake, Professional Land Surveyor, Existing and Proposed Floor Plans & Elevation Drawings, dated 5/25/10, prepared by Joanna Reck, and photographs were submitted.

On July 13, 2010, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that although construction of a 20.4 foot by 23.5 foot second story addition and construction of a 6.1 foot by 23.8 foot porch with less than required left side yard and right side yard setbacks, on an 8,070 square foot lot in a district in which the minimum lot size is 10,000 square feet is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted for construction of a 20.4 foot by 23.5 foot second story addition and construction of a 6.1 foot by 23.8 foot porch with less than required left side yard and right side yard setbacks, subject to the following condition:

- The minutes of the Historic District Commission's deliberations shall be submitted for the record.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time-stamped on this decision.

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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Cynthia S. Hibbard, Acting Chairman

Robert W. Levy

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm